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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/008,938	11/08/2001	John J. Pickerd	7136-US	4805

7590 03/04/2005
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EXAMINER

DESTA, ELIAS

ART UNIT PAPER NUMBER

2857

DATE MAILED: 03/04/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Supplemental Notice of Allowability

Application No.

10/008,938

Examiner

Elias Desta

Applicant(s)

PICKERD ET AL.

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to telephone interview with the applicants' attorney on February 24, 2005.
2. ☒ The allowed claim(s) is/are 18-30.
3. ☒ The drawings filed on 08 November 2001 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input checked="" type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date <u>02/24/2005</u> . |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____ |

Detailed Action

Examiner's Amendment

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312.

In reference to claim 30: the claim now depends from claim 18 rather than claim 31, and corrected to:

The method as recited in claim [31] 18 further comprising the steps of:

Pausing the scanning step when the violation is indicated by the indicating step; and

Displaying the portions of the long record length data acquisition from the reference memories.

Authorization for this examiner's amendment was given in a telephone interview with Mr. Thomas Lenihan (Attorney for the Applicants) on February 24, 2005.

Re-issue

Allowance

2. Claims 18-30 are allowed. The following is an examiner's statement of reasons for allowance:

In reference to claim 18: Pieper et al. (U.S. Patent 5,371,851) teaches a test and measurement instrument (see Pieper et al., Abstract). The instrument includes:

- A circuitry for entering parameters to be used to detect violations of predetermined parameters (see Pieper et al., Fig. 2, members 134 and 136);
- A data acquisition unit for acquiring a signal on the first channel (see Pieper et al., Fig. 1, members 110, 116, and 108);
- A processing circuitry for processing the signal from the first channel (see Pieper et al., Fig. 1, member 106);
- A display circuitry for displaying a waveform representation of the signal from the first channel (see Pieper et al., Fig. 26);
- A reference memory for storing the first reference waveform (see Pieper et al., column 4, lines 36-40) because the it is inherent that the graphics display have to have a memory in order to retain the waveforms;

- Comparing circuitry for repeatedly comparing the stored first reference waveform to portions of the first signal for detecting the existence of one of the violations by moving the reference waveform along the signal in time (see Pieper et al., column 19, lines 30-54); and
- Circuitry for alerting a user when one of the violations is detected (see Pieper et al., column 22, line 54 to column 23, line 4).

However, Pieper et al. does not teach a gate comparator to enable a high-speed search for an anomaly or violation in a long record length data acquisition of a test.

Unlike Pieper et al. the claimed invention further includes:

- Defining a plurality of gates with respect to the long record length data;
- Entering a mathematical comparison expression for comparing contents of reference memories;
- Storing the portions of the long record length data in a reference memories;
- Executing the mathematical comparison expression to identify existence of violation;
- Scanning the long record length data acquisition by incrementing the positions of the gates in tandem.

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The remaining claims are dependent upon claim 18 and contain further limitation

1. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

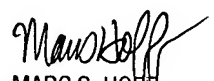
Conclusion

2. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Elias Desta whose telephone number is (571)-272-2214. The examiner can normally be reached on M-Thu (8:30-7:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Marc S. Hoff can be reached on (571)-272-2216. The fax phone numbers for the organization where this application or proceeding is assigned are (703)-308-5841 for regular communications and (703)-308-5841 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703)-308-1782.

Elias Desta
Examiner
Art Unit 2857


MARC S. HOFF
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2800